CRIMINAL REVISION NO. 1009 OF 1991-OLD NUMBER
CRIMINAL REVISION NO. 727 OF 2001- New NUMBER

Tulsi Ram Joshi……. Revisionist

Versus

State ---------- Respondent

Hon'ble M.M.Ghildiyal, J.

The revisionist Tulsi Ram Joshi was discharged u/s 239 Cr.P.C. by the Chief Judicial Magistrate, Nainital vide order dated 31.5.1989 in criminal case no. 61 of 1988, holding that no case under section 409 IPC was made out against the revisionist. The State filed revision no. 162/1989 against the said order and the learned Additional Sessions Judge, Nainital vide order dated 30.5.1991 allowed the revision and the Chief Judicial Magistrate was directed to proceed with the case according to law. The revisionist has challenged the order of the revisional court.

After the transfer of the revision the notices were sent to the revisionist. It has been reported by the Chief Judicial Magistrate, Nainital vide his report dated 14.8.2003 that the revisionist Tulsi Ram Joshi has expired. I have gone through the record and impugned judgment and order. I find no infirmity in the impugned order dated 30.5.1991 passed by the Additional Sessions Judge, Nainital. The revision is dismissed.

The office is directed to send a copy of this order to the trial court.

(M.M.Ghildiyal, J.)

October 01, 2003
MPS